



NOV 29 1973

Honorable W. E. Colby
Director
Central Intelligence Agency
Washington, D. C. 20505

Dear Mr. Colby:

This is in reply to your letter of November 6, 1973, with regard to the applicability of section 210(j) of the Federal Property and Administrative Services Act of 1949, as amended (40 U.S.C. 490(j)), to two public buildings housing various components of the Central Intelligence Agency. Members of my staff met with representatives of the CIA several months ago to discuss the Federal Buildings Fund generally, and specifically its application to the buildings referred to in your letter, and were led to understand that your agency was in agreement that the buildings were subject to the section.

Section 210(d) of the Property Act was added to provide, among other things, for the transfer of buildings funded by appropriations not under the control of GSA. That section authorizes the transfer of the operation, maintenance, and custody of any office building owned by the Government to GSA with the approval of the Director of the Office of Management and Budget.

Prior to completion, Allen W. Dulles, former Director of the CIA, requested GSA to assume all responsibility for the operation, maintenance, repair and improvement of CIA Headquarters Building and to thereafter budget for its cost on a direct appropriation basis. This was concurred in by the then Bureau of the Budget and was consistent with section 210(d) as the Headquarters Building is not a special purpose building and is the type of building over which GSA has traditionally exercised control.

With respect to [REDACTED] GSA files indicate that the property was transferred to this agency as excess and the space was thereafter assigned to the CIA under GSA's space assignment authority. We have no records indicating any transfer of custody to the CIA and further, the cost of operation and maintenance has always been the responsibility of GSA.

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For all of the above reasons, I regret that I am unable to concur in the position taken in your letter. Accordingly, the CIA budget planning for fiscal year 1975 should include the standard level user charge costs for these buildings which have been furnished to your agency.

A copy of this letter is being provided to the Director, Office of Management and Budget.

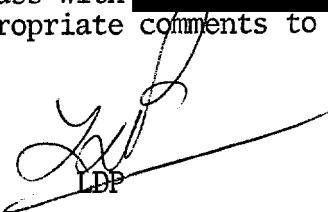
Sincerely,



Arthur F. Sampson
Administrator

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DD/M&S Distribution:
Orig - DD/M&S Subj
1 - D/Log
1 - OGC [REDACTED]

SENDER WILL CHECK CLASSIFICATION TOP AND BOTTOM			
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OFFICIAL ROUTING SLIP			
TO	NAME AND ADDRESS	DATE	INITIALS
1	Director of Logistics 1206 Ames Bldg.	7 DEC 1973	
2	DD/L	7 DEC 1973	
3			
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ACTION		DIRECT REPLY	PREPARE REPLY
APPROVAL		DISPATCH	RECOMMENDATION
COMMENT		FILE	RETURN
CONCURRENCE		INFORMATION	SIGNATURE
Remarks: Frank: Please see comments on routing slip from Executive Secretary. I'm sure you will discuss with [REDACTED] so he can make appropriate comments to the DCI.  LDP Att: DD/M&S 73-4632			
FOLD HERE TO RETURN TO SENDER			
FROM: NAME, ADDRESS AND PHONE NO.			DATE
Executive Officer to the DD/M&S 7D 26 Hqs			3 Dec 73

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Routing Slip

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2	DDCI				
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6	DDM&S	X			
7	D/DCI/IC				
8	D/ONE				
9	OGC		X		
10	OLC		X		
11	IG				
12	D/PPB		X		
13	D/Pers				
14	D/OS				
15	D/Trng				
16	SAVA				
17	ASST/DCI				
18	AO/DCI				
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SUSPENSE

Date

Remarks:

Please highlight for DCI at some future staff meeting.

Executive Secretary

Date